

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**VOLVO TRADEMARK HOLDING )  
AKTIEBOLAGET, a Swedish corporation; )  
VOLVO CONSTRUCTION EQUIPMENT )  
NORTH AMERICA, INC., a Delaware )  
corporation; and CHAMPION ROAD )  
MACHINERY LIMITED, a Canadian )  
corporation, )**

**Plaintiffs, )**

**Vs. )**

**Civil No. 1:00CV238**

**AIS CONSTRUCTION EQUIPMENT )  
CORPORATION, a Michigan corporation; )  
CLM EQUIPMENT COMPANY, INC., )  
a Texas corporation; FUTURE )  
EQUIPMENT COMPANY, INC., a Texas )  
corporation; and CLARK MACHINERY )  
COMPANY, an Arkansas corporation, )**

**Defendants. )**

**AIS CONSTRUCTION EQUIPMENT )  
CORP., a Michigan corporation; CLM )  
EQUIPMENT CO., INC., a Louisiana )  
corporation; FUTURE EQUIPMENT )  
CO., a Texas corporation; and CLARK )  
MACHINERY CO., an Arkansas )  
corporation, )**

**Plaintiffs, )**

<b>Vs.</b>	)	<b>Civil Action 1:01CV232</b>
	)	
<b>VOLVO CONSTRUCTION</b>	)	
<b>EQUIPMENT NORTH AMERICA,</b>	)	
<b>INC., a Delaware corporation; and</b>	)	
<b>CHAMPION ROAD MACHINERY,</b>	)	
<b>LTD., a Canadian corporation,</b>	)	
	)	
<b>Defendants.</b>	)	
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## **ORDER**

**THESE MATTERS** are before the Court on motion of Volvo Construction Equipment North America, Inc., and Champion Road Machinery, Ltd. (collectively “Volvo”) for a continuance of the trial from the May 2006 civil trial term. The motion is denied.

These actions have a long and torturous history in this Court and a trial on the merits is well overdue. In view of Mr. Beckmann’s medical condition and planned surgery, the Court suggests that the parties take his deposition while in Asheville for the pretrial conference.

**IT IS, THEREFORE, ORDERED** that Plaintiffs’ motion for a continuance is hereby **DENIED**.

Signed: April 14, 2006

A handwritten signature in dark ink, appearing to read "L. H. Thornburg", is written over a horizontal line.

Lacy H. Thornburg  
United States District Judge

